understanding. The principal case is in harmony with the decided weight of authority as to the question of law involved. *Notley* v. *First State Bank of Vicksburg,* 154 Mich. 676; *Pew* v. *Gloucester Nat'l Bank,* 130 Mass. 391. See also note in 136 Am. St. Rep. 923, and cases there cited. Alabama however has extended the rule that directors have no power to vote themselves compensation, to services outside regular duties and has held that it is illegal for a director to make a contract for compensation for work done while a director of the corporation, and such a contract even though express is unenforceable. *State* v. *Collins,* 7 Ala. 95; *Godbold* v. *Branch Bank,* 11 Ala. 191. A middle course has been taken, and perhaps the most salutary rule formulated, in *Althouse* v. *Cobaugh Colliery Co.,* 227 Pa. 580, where the right of recovery for services rendered by an officer of a corporation is limited to cases where there is an express contract and the doctrine of implied contracts is repudiated. On the whole it seems that the Pennsylvania doctrine is more nearly calculated to do justice in the majority of cases and would make extortionate claims by grasping officers increasingly difficult.

CRIMINAL LAW—INTOXICATION AS DEFENSE.—Defendant while in the act of raping a girl so placed his hand upon her mouth, to stop her cries, that she was choked to death. There was some evidence that he was drunk at the time. He was convicted of murder by the trial court, which conviction the appellate court reduced to manslaughter on account of his intoxication. In the House of Lords it was *held,* that intoxication, as distinct from insanity, was not a defense to the charge of murder. *Director of Public Prosecutions* v. *Beard,* [1920] App. Cas. 479.

The precise argument of the defense is obscure. It was admitted that defendant was not too drunk to realize what he was doing in respect to the rape. A contention that he was too drunk to have formed a specific intent to kill the deceased is precluded by the fact that murder does not require a specific intent to kill. "Homicide *per infortunium* is felonious, if the killing occurred in the prosecution of an unlawful act. It is murder, if the unlawful act was a felony, although there may have been no intention to injure the deceased." *Bob (a slave)* v. *State,* 29 Ala. 20; *Smith* v. *State,* 154 Ala. 31; *Hamilton* v. *State,* 129 Ga. 747; *People* v. *Stein,* 23 Cal. App. 108; *Pew's Case,* Cro. Car. 183 (1630). It is not even essential that death be the probable result of the act done; it is sufficient if it be the "natural" result, in the sense that it follow naturally and without the intervention of human volition. *State* v. *Levelle,* 34 S. C. 120; *Reg.* v. *Horsey,* 3 Fost. & F. 287, in which defendant was held for murder as a result of arson, although he had no knowledge, nor reason to know, that any one was in the barn which he fired. Actual realization by the defendant that the unintentional result *might* follow from the act intended seems never to have been required. The contention in the principal case appears to have been that the defendant had exempted himself from punishment for murder by deliberately incapacitating himself from conceiving the possible natural consequences of his felonious act. The decisions absolutely deny this position. "If by a voluntary act he (the defendant) temporarily casts off the restraints of reason and conscience, no wrong is

done him if he is considered answerable for any injury which in that state he may do to others or to society." *People* v. *Rogers,* 18 N. Y. 9, citing much English and American authority; *Kenny* v. *People,* 31 N. Y. 330; *Miller* v. *State,* 9 Okla. Cr. 55; *Com.* v. *Nazarco,* 224 Pa. 204; *State* v. *Kidwell,* 62 W. Va. 466, 13 L. R. A. (N. S.) 1024; *State* v. *Rumble,* 81 Kan. 16, 25 L. R. A. (N. S.) 376; *People* v. *Stein, supra.* The appellate court, in the principal case, relied on *Rex* v. *Meade,* [1909] 1 K. B. 895, in which it was held that defendant who killed his wife by striking her with a broomstick and with his fist in the abdomen was guilty only of manslaughter, if he were so drunk that his reason were dethroned, and he were "incapable of knowing that what he was doing was dangerous." The House of Lords, in the principal case, held that this broad proposition in *Meade's Case* "is not, and can not be supported by authority." Unfortunately the court did not see fit specifically to overrule *Meade's Case* in its particular application as well, so that it still stands in conflict with the current of authority on that point.

CRIMINAL LAW—SUICIDE—AIDING AND ABETTING.—The wife of the accused, a "bed patient," and, in the opinion of her physician, incurable, wished to die and end her misery. At her request accused mixed Paris Green and water in a cup and placed it where she could reach it. She drank, and died thereof. There was no indication that accused advised or encouraged such a course, nor aided, except as aforesaid. Upon confession in court, *held,* guilty of murder in the first degree under COMP. LAWS, 1915, § 15192. *State* v. *Roberts,* (Mich., 1920) 178 N. W. 690.

The statute referred to reads, "All murder which shall be perpetrated by means of poison, or lying in wait, or any other kind of wilful, deliberate and premeditated killing, or shall be committed in the perpetration, or attempt to perpetrate any arson, rape, robbery or burglary, shall be deemed murder of the first degree, and shall be punished by solitary confinement at hard labor, in the state prison for life." The law in our states is unsettled as to the legal status of the act of suicide and the criminal liability of one who assists or encourages the self destruction. In Massachusetts it is doubted if suicide itself is a felony. *Com.* v. *Mink,* 123 Mass. 429. But as it is an act *malum in se,* one who aids, encourages or advises it is guilty of murder, *Com.* v. *Bowen,* 13 Mass. 356, or manslaughter, *Com.* v. *Mink, supra.* By specific statute in New York any one who "wilfully in any manner, advises, encourages, abets or assists another person in taking the latter's life," is guilty of manslaughter. See *People* v. *Kent,* 41 Misc. 191. In *Com.* v. *Hicks,* 118 Ky. 637, it is stated as the law that suicide is a felony in Kentucky and an accessory before the fact to a suicide is guilty of murder as principal in the second degree. In Illinois suicide is not a crime. *Royal Circle* v. *Achterrath,* 204 Ill. 549. But one who aids, encourages, or induces another to kill himself makes the suicide his agent, becomes responsible for his act, and is thus guilty of murder. *Burnett* v. *People,* 204 Ill. 208. But under the common law that responsibility could only be for solicitation, and punishable as such, *Rex* v. *Higgins,* 2 East 5, (1801); or that of an accessory, dispunishable in case of suicide, *Com.* v. *Phillips,* 16 Mass. 422; or that of a principal in the second